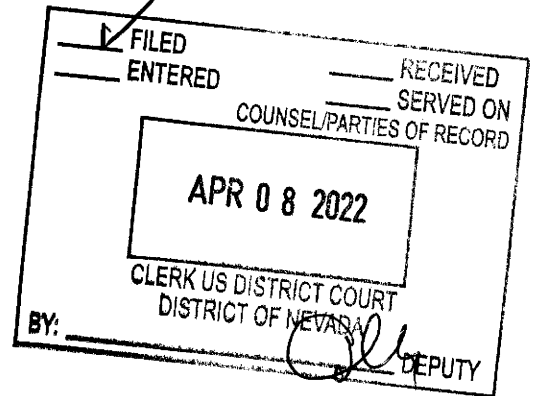


David Gonzalez
1435 Auburn Way
Reno, Nevada 89502
Sales@world-tradeworks.com



UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of America
Plaintiff
vs.
David Gonzalez

Case Number: 3:11-cr-00055-HDM

MOTION TO TERMINATE
SUPERVISED RELEASE

I, David Gonzalez, respectfully submit this Motion, Pro-Se, for consideration of early termination of supervised release. I humbly ask that the Court please excuse any technical errors that I may have made in this Motion due to my lack of formal legal training. However, I wish to try to directly, and accurately, represent my position to the Court. I hope to demonstrate to the Court that consideration for early termination of supervised release is warranted.

CASE SUMMARY

On April 20, 2011, I was indicted for Receipt of Child Pornography, 18 United States Code Section 2252A(a)(2). On July 19, 2012, I pleaded guilty to the Indictment. On October 18, 2012, I was sentenced to 78 months imprisonment and Lifetime supervised release. On December 4, 2015, I completed my prison term and began supervised release.

Since I began supervised release, and throughout my supervision term, I have resided in my home in Reno with my mother and father. I am self-employed full-time as an importer/broker for goods ranging from electric scooters to artificial turf. I am appropriately licensed and my record keeping accurately reflects all taxes and fees are paid on time. I have been able to harness my attention deficit/hyperactivity to manage all the complexities my business. I have been productive and successful in my business endeavors.

PRIOR HISTORY

I have no other criminal history of any kind. I have never been arrested for anything before or after this case. As a small child I was the victim of many years of sexual abuse. My parents did not believe or pay attention to the abuse that I was experiencing. I believe that those experiences caused impaired mental and emotional behaviors as I was trying to escape and irrationally normalize my negative thoughts and memories. This is in no way an excuse for my criminal behavior, only my own attempt at understanding it. I now understand how my childhood affected me. Thanks to my arrest in this case, my sentence, and the conditions ordered by the Court, I have learned from my experience and I have coping strategies in place for my ongoing success.

TERM OF IMPRISONMENT

I maintained a perfect discipline record throughout my term of imprisonment in the Federal Bureau of Prisons. I participated in available educational programs and work details. I was later transferred to the Las Vegas Residential Reentry Center, where I successfully completed my sentence.

MENTAL HEALTH COUNSELING

Upon commencement of supervised release, I immediately began mental health counseling at The Ridge House, I enrolled in psychiatric services at Nevada Adult Mental Health Services, and I began sex offender counseling with Steven Ing. I thoroughly embraced and fully participated in all the services provided for me. Although I initially tried to block out the many years of sexual abuse by my uncle when I was a small child, I realized that I had to deal with the tormenting thoughts and feelings that I had. Although I still don't like to think of, or remember, the abuse I experienced as a child, I understand how it impacted me mentally and emotionally and how it led up to viewing inappropriate and horrific images of other children, like me, being abused.

On June 30, 2017, I successfully completed mental health counseling. I continue to check in with my psychiatrist every several weeks as scheduled. I know the importance of maintaining my mental health medication regimen and I continue follow it.

I successfully completed all required coursework for sex offender treatment a couple years ago. I continue to check in with my counselor, Steven Ing, once per month, as required by the probation office. Mr. Ing is very supportive of my Motion for early termination of supervision and can verify my success in the treatment program. I have learning a lot about my remorse and empathy for victims like myself, irrational thinking, managing my sexuality, understanding the sexual abuse of my past, taking steps to ensure my ongoing success, and relapse prevention.

SUPERVISED RELEASE

Since 2017, my assigned U.S. Probation Officer has been Ron Crawford. Mr. Crawford is firm, fair, and caring. He is an excellent communicator. He has taken a lot of time to provide guidance and counsel me regarding my supervised release. Mr. Crawford, in partnership with my counselor, Steven Ing, has created a positive supervision environment for me and given me greater confidence in my future success. They expressed no opposition to this Motion for early termination of supervised release and are supportive.

I paid the \$100.00 mandatory assessment fee in full in 2015. I have no further financial obligations in my case.

I have submitted to random drug testing when required by the probation office. All tests have been negative. I have never used any controlled substances and I have never had a problem with excessive alcohol use. I did inhale chemicals from whip cream canisters when I was younger because it made me feel good. I do not do that anymore.

I have had no violations of the conditions of supervised release whatsoever. Mr. Crawford has ensured that I have a full understanding of all the conditions that were imposed by the Court, including a full understanding of the benefits that they have provided for me. I have never viewed, read, or otherwise possessed any pornographic material throughout my term of supervised release. The probation office has installed computer monitoring software on my phone and Mr. Crawford can verify my full compliance. Mr. Crawford and Mr. Ing have been instrumental in my understanding of my past, my crime, and my future success. I plan to continue to build and grow, applying what I have learned from my experience.

I have always submitted my monthly supervision reports to the probation office on time, as required. My probation officer, Ron Crawford, speaks with me by phone and in person regularly and can verify my ongoing compliance with the terms and conditions of supervised release that is expected. Additionally, I have always maintained full compliance with the Sex Offender Registration and Notification Act (SORNA). I continue to register in person with the Reno Police Department twice per year, as required for my home address verification. My compliance with SORNA will continue beyond my term of supervised release.

COMMUNITY SERVICE/ VOLUNTEER WORK/ CONTRIBUTIONS TO THE COMMUNITY

My business has been very successful. More importantly, my supervision term and counseling have all been very successful. Therefore, I have been diligent in giving back to the community for many years. Throughout the Covid 19 pandemic, I have worked with the Salvation Army to pass out food and gift cards to needy families in the community. I volunteer to help feed and clothe our homeless population during the holidays. I regularly participate in fund raising for Feed America with Bimbo Bread Company. I donate money to Saint Joseph's Indian School in South Dakota, the Northern Nevada SPCA, Easterseals, Shriners Hospital, Special Olympics, Memorial Sloan Cancer Center, The American Cancer Society, The Ridge House, and others. I have found that giving back to the community makes me feel good and helps to support my own personal growth.

AUTHORIZATION ALLOWING CONSIDERATION OF EARLY TERMINATION OF SUPERVISED RELEASE

The following legal information was gleaned from various sources and may not be complete. However, I know that the Court is well-informed and experienced in consideration of my request for early termination of supervised release.

Title 18 United States Code Section 3583(e) authorizes termination of supervised release. *"The Court may, after considering the factors set forth in Title 18 United States Code Sections 3553(a)(1), (a)(2)(C), (a)(4), (a)(5), (a)(6), and (a)(7) – terminate a term of supervised release and discharge a defendant released at any time after the expiration of one year of supervised release, pursuant to the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice."* Those factors include the nature and circumstances of the instant offense, history and characteristics of a defendant, deterrence of criminal conduct, protecting the public from further crimes, the provisions of education and/or vocational training, effective correctional treatment, consideration of the established sentencing range, and sentencing policies for the crime committed, and the need for restitution. While there is also case law that is better understood by the Court than I am able to fully articulate, United States v. Emmett articulates that *"while a District Court enjoys discretion to consider a wide range of circumstances when considering whether to grant early termination, the defendant has the burden to demonstrate that early termination of supervised release is justified."* Additionally, United States v. Smith properly notes that *"compliance is what is expected of a defendant on supervised release, it does not in and of itself constitute an adequate basis to terminate supervised release early."*

CONCLUSION

I respectfully submit that I have completed over six years of supervised release. I have fully embraced and complied with all conditions of supervised release, as is the expectation of all persons under supervision. I have benefited enormously from those conditions that were imposed by the Court. I have maintained regular communication with my probation officer, Ron Crawford, who has been instrumental in my current and future success. I have completed mental health counseling and all coursework as part of my sex offender treatment program, and my therapist is supportive of my Motion for early termination of supervised release. I continue to check in with my psychiatrist on a regular basis throughout the year and I recognize the benefits of my ongoing mental health medication.

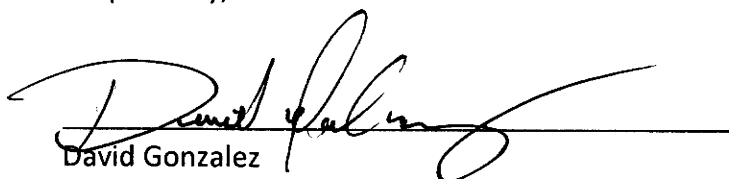
Although it is difficult to articulate, I am humbled and grateful for the intervention that resulted from my Indictment, the Court's sentence, and the conditions imposed that have helped guide me in my success. My probation officer, counselors, and psychiatrist have each contributed to my acquired knowledge and skill building that I feel has eliminated any risk of recidivism. However, I am fully aware of my previous faulty cognitions and past behaviors, and I am firmly committed to ongoing relapse prevention.

All treatment coursework, financial obligations, and other Court-ordered conditions have been satisfied. I will continue to maintain compliance with sex offender registration (SORNA) for the rest of my life. Regardless of the Court's decision to grant me this Motion for early termination of supervised release, I will continue to engage in voluntary community service work by providing my time, talent, and financial support to charitable organizations throughout the community.

Without the benefit of counsel, I hope that the Court finds this Motion for Early Termination of Supervised Release to provide a simple and clear description of my character and position. I hope that the Court finds that my Motion is appropriate. I humbly ask the Court to consider my request and grant my Motion for Early Termination of Supervised Release.

Thank you for taking the time to read this and for your consideration.

Respectfully,


David Gonzalez

04/08/2022
Dated